#### **REMARKS**

#### Title

Applicants have herein amended the title of the invention to read: Programmable Structure Including An Oxide Electrolyte And Method of Forming Programmable Structure.

## Cross Reference to Related Applications

Applicants have herein amended the Cross Reference section of the application to reflect the addition of the benefit claim to a prior-filed provisional application. Applicants have submitted a Petition to Accept Unintentionally Delayed Claim Under 35 USC 119(e) for Benefit of Prior-filed Provisional Application in a separate filing, a copy of which is attached to this Response and Amendment.

#### Drawing Figures

Applicants herewith submit new formal drawing figures to obviate the Examiner's objection to the figures filed March 8, 2004.

## **Double Patenting**

Applicants herewith submit a Terminal Disclaimer to obviate the nonstatutory double patenting rejection to claims 1 - 33.

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Serial No.: 10/796,808

# **CONCLUSION**

In view of the foregoing, Applicant respectfully submits that all the pending claims are allowable. Reconsideration of the application and allowance of all pending claims is earnestly solicited.

Dated: 5/23/05

Respectfully submitted,

By:

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